

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

### **Listing of Claims:**

1. (currently amended) A radiopaque marker for medical implants, comprising:
  - a) 10 to 90 weight-percent of a biodegradable base component comprising an alloy and capable of degrading in situ over a medically useful period of time;
  - b) 10 to 90 weight-percent of a marker component comprising one or more radiopaque elements selected from the group consisting of I, Au, Ta, Y, Nb, Mo, Ru, Rh, Ba, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb, Dy, Ho, Er, Tm, Yb, Lu, Hf, Ta, W, Re, Os, Ir, and Bi, as a the marker component comprising fine particles; and,
  - c) less than or equal to 10 weight-percent residual components,  
the components cited adding up to 100 weight-percent, wherein the biodegradable base component is an alloy as the base component degrades the marker component particles are excreted without appreciable absorption into surrounding tissue.
2. (currently amended) The marker of Claim 1, wherein the marker component comprises an alloy.
3. (previously presented) The marker of Claim 2, wherein the biodegradable base component comprises one or more biodegradable elements selected from the group consisting of magnesium, iron, and zinc.
4. (canceled)
5. (previously presented) The marker of Claim 1, wherein the marker component comprises one or more elements selected from the group consisting of I, Ta, Y, Ce, Nd, Sm, Gd, and Dy.

6. (canceled)
7. (canceled)
8. (previously presented) The marker of Claim 1, wherein a proportion of the radiopaque elements Y, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb, Dy, Ho, Er, Tm, Yb, Lu and yttrium as components of the marker component is not more than 20 weight-percent in the marker.
9. (canceled)
10. (canceled)
11. (currently amended) A biodegradable implant having a section or coating incorporating a marker, comprising:
  - a) 10 to 90 weight-percent of a base component comprising a biodegradable alloy capable of degrading in situ over a medically useful period of time;
  - b) 10 to 90 weight-percent of a marker component comprising one or more radiopaque elements selected from the group consisting of I, Au, Ta, Y, Nb, Mo, Ru, Rh, Ba, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb, Dy, Ho, Er, Tm, Yb, Lu, Hf, Ta, W, Re, Os, Ir, and Bi, ~~as a~~ the marker component comprising fine particles; and,
  - c) less than or equal to 10 weight-percent residual components,  
the components cited adding up to 100 weight-percent wherein as the base component degrades the marker component particles are excreted without appreciable absorption into surrounding tissue.
12. (currently amended) A biodegradable implant, comprising:
  - a) a main body; and
  - b) a radiopaque marker at least partially comprising the main body, the radiopaque marker comprising
    - i) 10 to 90 weight-percent of a base component comprising a biodegradable alloy and capable of degrading in situ over a medically useful period of time,

ii) 10 to 90 weight-percent of a marker component comprising one or more radiopaque elements selected from the group consisting of I, Au, Ta, Y, Nb, Mo, Ru, Rh, Ba, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb, Dy, Ho, Er, Tm, Yb, Lu, Hf, Ta, W, Re, Os, Ir, and Bi, as a the marker component comprising fine particles, and,

iii) less than or equal to 10 weight-percent residual components,  
the components cited adding up to 100 weight-percent wherein as the base component degrades the marker component particles are excreted without appreciable absorption into surrounding tissue.

13. (canceled)

14. (canceled)

15. (canceled)

16. (canceled)

17. (previously presented) The marker of Claim 1, wherein a proportion of the rare earth elements and of yttrium as components of the marker component is less than or equal to 15 weight-percent, in the marker.

18. (canceled)

19. (canceled)

20. (currently amended) A radiopaque biodegradable marker for medical implants, the marker comprising:

a) 10 to 90 weight-percent of a base component comprising a biodegradable alloy and capable of degrading in situ over a medically useful period of time;

b) 10 to 90 weight-percent of a radiopaque marker component comprising one or more radiopaque elements selected from the group consisting of I, Au, Ta, Y, Nb, Mo, Ru, Rh,

Ba, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb, Dy, Ho, Er, Tm, Yb, Lu, Hf, Ta, W, Re, Os, Ir, and Bi, the marker component comprising fine particles; and,

c) less than or equal to 10 weight-percent residual components,  
the components cited adding up to 100 weight-percent wherein as the base component degrades the marker component particles are excreted without appreciable absorption into surrounding tissue,

wherein the marker is an integral part of said implant and

wherein the marker degrades over time from the implant into the environment in which the implant is situated.

21. (canceled)

22. (previously presented) The marker of Claim 20, wherein the implant has a plurality of cavities formed therein and the radiopaque marker is at least partially disposed within the cavities.

23. (new) The marker of Claim 1, wherein the fine particles, when dispersed in situ, are in contact with body material.